

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

RICHARD LAMAR CARTER ) CIVIL ACTION NO.: CV590-276  
GEORGE HOWELL ) CV590-273  
VERNON CHARLES SMITH ) CV590-278  
GLORIA BUTLER ) CV591-005  
DANNY KIRKLAND ) CV591-019  
ROBERT ROLLINS ) CV597-076

Plaintiffs, )

v. )

CSX TRANSPORTATION, INC., )

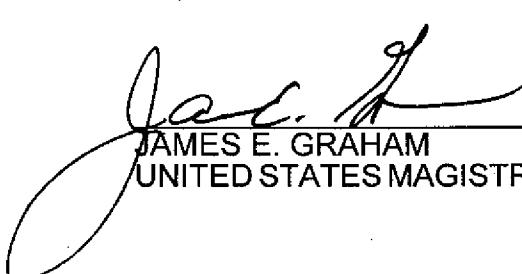
Defendant. )

**ORDER**

Plaintiffs have designated portions of the deposition of Mark E. Badders as testimony which they seek to introduce at the trials of these cases. That deposition was not taken in any of the captioned cases. Defendant has filed Objections to the introduction of those portions of Badders' deposition. (Carter, doc. 131.)

The designated portions of the deposition of Mark E. Badders will be allowed only if relevant and the requirements of Federal Rule of Evidence 804 (b)(1) are satisfied.

SO ORDERED, this 9<sup>th</sup> day of December, 2005.

  
JAMES E. GRAHAM  
UNITED STATES MAGISTRATE JUDGE